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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2011 APR 21 PM 4: 19 ✓

JEANNE HICKS, CLERK

BY: Ivy Rios

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN DEMOCKER,

Defendant.

CAUSE NO. P1300CR201001325

MOTION TO HOLD TRIAL
IN PRESCOTT

Assigned to Hon. Warren Darrow

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby moves this court to order the trial in this case be held in Prescott, Arizona.

The State's reasons supporting this request are as follows: 1) the murder and criminal investigation occurred in Prescott; 2) a majority of the witnesses and all of the evidence is located in Prescott; 3) the length of trial would create a significant inconvenience for all of the participants if the trial is held in the Verde Valley; 4) Marie Higgins has been the victim advocate and is the only advocate victims Ruth K. and John K. have known. If the trial is held in the Verde Valley, the case will be re-assigned to a new advocate. Marie has developed an intimate and emotional bond with Ruth and John which will be broken if the trial is held in the Verde Valley. Marie has been their voice of reassurance for almost 3 years and it would be devastating for them to start over with another advocate. 5) Ruth believes if this case is moved to the Verde Valley there would be little or no representation for Carol. Carol's friends and co-workers

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1 attended the first trial regularly in Prescott. They would not be able to do so if the trial is in the
2 Verde Valley; 6) Ruth and John are familiar and more comfortable in Prescott. They have friends
3 in Prescott and would feel out of their element in the Verde Valley; 7) a Prescott Superior Court
4 judge could be temporarily assigned to the Verde Valley during the pendency of the trial and
5 would this would cause very little inconvenience; 8) defendant wants the trial to be held in the
6 Verde Valley but gave no reason other than his convenience.
7

8 Based upon the strong preferences of Carol Kennedy's mother and brother and for the
9 other practical reasons stated herein, the State moves this court for an order directing the trial be
10 held in Prescott.

11 **RESPECTFULLY SUBMITTED** this 21st day of April, 2011.

12 **Sheila Sullivan Polk**
13 **YAVAPAI COUNTY ATTORNEY**

14 By: 
15 **JEFFREY G. PAUPORE**
16 Deputy County Attorney

17 **COPY** of the foregoing **mailed** this
18 21st day of April, 2011, to:

19 Honorable Warren R. Darrow
20 Division PTB
21 Yavapai County Superior Court

22 Craig Williams
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